

A  
DECLARATION  
OF HIS  
HIGHNES COUNCIL  
IN  
SCOTLAND,  
For the GOVERNMENT thereof:  
CONCERNING AN  
ORDINANCE  
OF  
HIS HIGHNES,  
Dated the Eighth day of *August*, 1654.

Whereunto is annexed the said  
ORDINANCE.

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Wednesday the *Seventeenth* day of October, 1655.  
At His Highnesse Councill in EDINBURGH,  
Ordered, That this Declaration and Ordinance be forthwith  
Printed and Published.

EMANUEL DOWNING,  
*Cl. of the Council.*

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EDINBURGH, Printed by *Christopher Higgins*, in *Harts-Close*,  
over against the Trone-Church. MDCLV.

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A  
DECLARATION  
OF HIS  
HIGHNES COUNCILL  
IN  
SCOTLAND,  
For the Government thereof:

Concerning His Highnes Ordinance of the 8. of August, 1654.

**H**is Highnesse being thoroughly sensible, that whatsoever Union of Nations is made where the true Religion is not the foundation thereof, it will prove tottering and unstable; hath therefore expressly commanded his Councill here to endeavour the promoting the Preaching of the Gospel, and the power of true Religion and holinesse; And to take care, That the usuall Maintenance here be received and enjoyed by such Ministers as are of a holy and unblameable conversation, disposed to live peaceably under the present Government, and who for the Grace of God in them, and for their knowledge and utterance, are able and fit to preach the Gospel, and shall be approved, according to an Ordinance of his Highnes of the eight of August, 1654. entituled, An Ordinance for the better support of the Universities in Scotland, and encouraging of Publick Preachers there; All which laying a double duty upon the said Councill, to promote the true Religion in soundnes of Faith, and holmes of Conversation, They shal, through the assistance of the Lord, cheerfully and industriously endeavor the same: but finding that the said Ordinance of the eighth of August, by reason of the not acting of most of those persons mentioned therein, hath not been put in effectual execution, whereby the good intended by his Highnes to this Nation, hath not been derived to them; they have thought fit to Declare, That as they shall give all just countenance and encouragement to the persons



Who shall certifie according to the said Ordinance, and to the persons so certified of ; so if they shall not proceed therein, but continue to delay the execution thereof, The said Council will esteem themselves obliged ( by tyes not to be dispensed withall) to promote and set forward so good and necessary a work, in such ways as shall seem best to them to carry it on, both in discharge of their duties unto God, and obedience to his Highnesse ; And that all those who are nominated and concerned therein, may yet have a competent time to consider how the said Ordinance may be most effectually pursued in this Juncture of Affairs, and in order to those good Ends, which therein are proposed, the said Council have fixed upon the first of December next, as the time before which they desire those afore-mentioned in the said Ordinance, would proceed thereupon when occasion is offered: And whereas there may be diverse places where some persons may have a freedom and willingness to act upon the said Ordinance, and yet cannot actually express the same by reason no persons in their Province within that time may stand in need of, or demand such Certificates ; It is therefore desired in such cases, that by the day above-specified, All such persons would declare their readines to act when the opportunity shalbe presented, whereby if a defect should appear for want of persons to act, the said Council may speedily take care to supply it with other fit persons who shalbe willing to carry on that desired work : And because the said Ordinance of the eighth of August, 1654. hath not yet been Printed, and containing in it some other things relating to the better support of the Universties, and encouragement of Publick Preachers in Scotland, The Council conceiving it not fit to sever the parts of the said Ordinance in the publication thereof, have appointed the whole Ordinance to be Printed herewith. Given at Edinburgh the seventeenth day of October, 1655.

Signed in the Name and by Order of the Council.

BROGHILL, President.

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**ORDINANCE**  
 For the better support of the  
**UNIVERSITIES**  
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**SCOTLAND,**

And Encouragement of Publick PREACHERS there.

**H**IS Highnesse the Lord Protector taking into consideration the great advantage which may redound to the People of this Commonwealth, inhabiting in Scotland, That the Universities there should receive both countenance and encouragement, and be provided for with competent maintenance for the Members of the said Universities, for the better training up of Youth in Piety and good Literature; Doth Ordain, and be it Ordained by his Highnesse, by and with the consent of his Council, that the Superiorities of all and singular the Lands belonging to the late Bishoprick of Galloway, Abbacy of Tunland, Priory of Whit-horn, and Abbacy of Glenluce, And all other Lands annexed and appertaining to the said Bishoprick, together with all Few-Farmes, Few-Duties, Rains, Customs, and Casualties thereunto belonging, accruing, or which shall accrue; As also the Superiorities of the whole Teinds, Parsonage

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and Vicarage, Teind-Duties, and all other Duties of all and sundry the Churches and Parishes of and belonging to the said late Bishoprick, Abbacy or Priory where ever the same lye, and by whatsoever Name or Designation the same be known, (excepting the Superiority of the Deanry of the Chaplin of Striveling) be, and are hereby, and shall from henceforth be adjudged, deemed, and taken to be given, granted, doted, mortified and disposed to the Univerſity of Glaſgow, and the Principal, Profeſſors and Regents thereof, and their Succeſſors for ever, with power to the Principal, Profeſſors, and Regents of the ſaid Univerſity, preſent and in time to come, and their Succeſſors, to receive Reſignations, Enter the Feſſ-holders, Tenants, and all others formerly called Vaſſals of the ſaid late Biſhoprick, Abbacies and Priory, to their reſpective Lands, by Charters of Reſignation, Confirmation, or otherwiſe to Compound, Tranſact and Receive Fines and Compoſitions for the ſame, and to do all and every other Act and thing touching the ſame, as any Superior or Over-lord in Scotland may do to their Tenants and Feſſ-holders, or others, commonly called Vaſſals, according to Law.

And be it further ordained by the Authority aforeſaid, That for the better Encouragement of Students in the ſaid Univerſity, the ſum of Two hundred Marks Sterling yearly ſhall be paid out of the firſt and readieſt of the Cuſtoms of Glaſgow to the Principal, Profeſſors, and Regents of the ſaid Univerſity of Glaſgow, and their Succeſſors for ever, or ſuch perſon or perſons as they ſhall from time to time appoint to receive the ſame, to be employed by them and their Order, for the education of pious and hopeful young men and Students of Theology and Phyloſophy in the ſaid Univerſity; And that



that the Collectors and Receivers of the said Customs for the time being, shall pay the said yearly sum of Two hundred Marks Sterling, by Quarterly Payments accordingly, and shall be allowed the same upon their Accounts; The first Payment to be made at or upon the first day of December next.

And be it further ordained by the Authority aforesaid, That the Superiorities of the Lands belonging to the late Bishoprick of Aberdeen, that is to say, The Superiorities of the Lands of Aberdeen, formerly called the Barony of Aberdeen, of the Lands of Murthill, Fetterner, Clett, Tallienessell, Daviot, Reine, and Beirfe, all lying within the Sherifff-dome of Aberdeen; As also the Lands of Fordice and Murtlawh, lying within the Sherifffedome of Bamff, together with the Superiority of the Acres of Old Aberdeen, and of all other Lands, Tenements, Houses, with the Appurtenances formerly belonging to the said late Bishoprick of Aberdeen, the Few-Farms, Few-Duties, Rains, Customs, Casualties, Teins, Parsonage and Vicarage, Tend-Duties, and all other Duties of the Lands, Churches and Parishes aforesaid; together with other Duties of the Church of Maucher and Nicholas, and of all other Kirks and Parishes which formerly belonged to the said Bishoprick; together, with the Tenths of the Salmon Fishing, and other Fishings upon the Waters of Dee and Done, or on the Sea, or any other places formerly belonging to the said Bishoprick, together with the whole Fruits, Teinds, Church-Rents, and other Duties any way belonging to the Temporality or Spirituality of the said Bishoprick be given, granted, doted, and mortified to the said University of Aberdeen, the Principals, Professors, Regents and re-  
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manent Members thereof and their Successors for  
 ever, in manner following, (that is to say) To the  
 Colledge of Old-Aberdeen two parts in three to be  
 divided, And to the Colledge of New-Aberdeen one  
 third part in three to be divided, With power to the  
 Principals, Professors, Regents, and remanent  
 Members of the said Univerſity according to their  
 Proportion and Division aforesaid, present and to  
 come, and to their Successors for ever, to receive  
 Resignations, enter the Few-holders, Tenants,  
 and all others, formerly called Vassals, of the said  
 Bishoprick Lands, and other the Premises, by  
 Charters of Resignation, Confirmation or other-  
 wise to compound, transact and agree about the  
 Fines and Compositions due for the same, and to  
 receive and take up the same, And to do all and  
 every other act and thing therein that any Supe-  
 rior or Over-Lord in Scotland may do to their Few-  
 holders, Tenants, and all others commonly called  
 Vassals, according to Law in such Cases: And in  
 respect of the Incompetency of the Maintenance  
 of the Masters, Professors, and other the Mem-  
 bers of the said Univerſity, and especially of the  
 said Colledge of New-Aberdeen, Be it Ordained by  
 the Authority aforesaid, That the sum of two  
 hundred Marks Sterling by the year, out of the  
 first and readiest of the Customes of Aberdeen, shall  
 be from henceforth paid unto the Principals, Pro-  
 fessors, and other the Members of the said Univer-  
 sity, and their Successors for ever, or to such person  
 and persons as they shall from time to time appoint  
 to be paid Quarterly by even and equall portions to  
 be imployed for the Augmentation of the provisi-  
 ons and maintenance of the Principals, Professors,  
 Regents, and Remanent Members of the said  
 Univerſity of Aberdeen, in manner following, (that  
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is to say) two parts thereof to the said Colledge of New-Aberdeen, and the other third part to the Colledge of Old-Aberdeen; And that the Collectors and Receivers of the said Customs for the time being, shall pay the same accordingly: Provided always, That the Principals of either of the said Colledges shall have twice as much added to their Provisions out of the said Augmentation or yearly sum, as is added to the Provision of other Professors and Members of the respective Colledges; The first Payment to be made at or on the first day of December next, and so from thenceforth Quarterly. And for the better Propagation of the Gospel and Advancement of Godliness in Scotland, Be it Ordained by the Authority aforesaid, That the Commissioners for Visiting the Universities, Colledges and Schools of Learning in Scotland, do take especial care, That none but Godly and Able men be Authorized by them to enjoy the Livings appointed for the Ministry in Scotland; And to that end, That respect be had to the Choice of the more sober and Godly part of the People, although the same should not prove to be the greater part; And that no Person shall be by them Authorized, or admitted into any such Living or Benefice, but such as shall be first Certified by the persons hereafter named for the respective Provinces hereafter mentioned, or any Four or more of them, Whereof two to be Ministers, to be a person of a holy and unblameable Conversation, disposed to live peaceably under the present Government, And who for the Grace of GOD in him, and for his Knowledge and Utterance is able and fit to Preach the Gospel: Within the Provinces of Louthian, Mers, and Teviotdale, Master Robert Traile, Master Alexander Levingstone,  
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Master



**Master** Gilbert Hall, **Master** John Scot, **Master** Edward Jamesone, **Master** John Sinclare, **Master** John Levingstone ; **Sir** Archibald Johnstone, **Sir** Andrew Ker, **Colonel** Gilbert Ker, Dundas of Dundistone. **Within the Provinces of** Dumfrieze and Galloway, **Master** Hugh Henderson, **Master** Samuel Austine, **Master** Alexander Trumbel, **Master** Andrew Lawder, **Master** Samuel Rowe, **Master** William Ferguson of Kaitlocke, **Earle of** Cassilis, Alexander Gordoun of Knockgray. **Within the Province of** Glasgow and Aire, **Master** John Carstayres, **Master** Alexander Dunlap, **Master** John Nevay, **Master** William Guthery, **Master** William Adayre, **Master** Thomas Willye, **Master** Patrick Colvile, **Master** Francis Ayrd, **Master** William Somervill, **Master** Patrick Gillespie, **Sir** George Maxwell, William Muyre of Glanderstone, **Master** John Graham, **Master** John Spreule, George Porterfield. **Within the Provinces of** Perth, Fife, and Angus, **Master** James Guthery, **Master** Robert Blaire, **Master** Samuel Rutherford, **Master** Alexander Moncrieffe, **Master** James Simson, **Master** William Oliphant, **Master** John Murray, **Master** William Rait, **Sir** William Bruce, David Weemes of Fingask, **Viscount of** Arburchnet. **Within the Provinces of** be-north Angus, **Master** Robert Keith, **Master** Duncan Forbes, **Master** John Rowe, **Master** Nathaniel Martin, **Master** Joseph Brody, **Master** John Menzies, **The Lord** Brody, **The Laird of** Eight, **Earle of** Southerland, Alexander Jeffrey, **Master** William More, **Master** Andrew Cant.

**And be it further Ordained by the Authority aforesaid, That the said Commissioners do allow and provide out of the Treasury of Vacant Stipends, or otherwise, as they shall think fit, a Competent Maintenance, for such Ministers who have Gathered Congregations in Scotland ; And to**



to take care that the Stipends of the Parochial Churches there be imployed to the use of such godly Ministers as are free to Labour amongst them, in the way of the Churches of Scotland.

And be it further Ordained by the Authority aforesaid, That the said Commissioners do take care, That such of the Ministers of that Nation as they shall finde to promote Godlinesse, and to endeavour the suppressing of all Ungodlinesse, and Scandalous Practices, whether in the Ministry or the People, do receive all due Encouragement and Assistance; And that they do oppose all such as discountenance the Power of Godlinesse, and are indulgent to such as are Scandalous or Profane.

Passed the Eighth of  
August, 1654.

HENRY SCOBEL,  
Cl. of the Council.

Wednesday the 17. of October, 1655.

At His Highnesses Council in EDINBURGH,

**O**Rdered, That this Declaration and Ordinance be forthwith Printed and Published.

EMANUEL DOVVNING,  
Cl. of the Council.

THE  
OFFICE OF THE  
SHERIFF OF THE COUNTY OF  
SHERIFF

IN SENATE  
JANUARY 1870

At the City of New York,  
in the County of New York,  
this 1st day of January, 1870,  
I, the undersigned,  
Sheriff of the County of New York,  
do hereby certify that the  
within and foregoing is a true  
and correct copy of the  
original of the same as  
the same is on file in my  
office.











